Sullivan Hoeven Mullin Hyde-Smith Paul Thune Johnson Ricketts Tuberville Lankford Risch Vance Rubio Lee Wicker Lummis Schmitt Young Marshall Scott (FL) Moran Scott (SC)

#### NOT VOTING-4

Barrasso Fetterman Feinstein Kelly

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the motion to reconsider be considered made and laid upon the table and the President will be immediately notified of the Senate's action.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 42, Andrew G. Schopler, of California, to be United States District Judge for the Southern District of California.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Tim Kaine, Margaret Wood Hassan, Ben Ray Luján, Raphael G. Warnock, Tammy Duckworth, Jack Reed, Sheldon Whitehouse, John W. Hickenlooper, Catherine Cortez Masto, Tammy Baldwin, Brian Schatz, Christopher Murphy, Tina Smith, Debbie Stabenow.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived

Is it the sense of the Senate debate on the nomination of Andrew G. Schopler, of California, to be United States District Judge for the Southern District of California, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. Feinstein), the Senator from Pennsylvania (Mr. Fetterman), and the Senator from Arizona (Mr. Kelly) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The yeas and nays resulted—yeas 57, nays 39, as follows:

## [Rollcall Vote No. 42 Ex.]

# YEAS-57

Baldwin	Casey	Grassley
Bennet	Collins	Hassan
Blumenthal	Coons	Heinrich
Booker	Cornyn	Hickenlooper
Brown	Cortez Masto	Hirono
Cantwell	Duckworth	Kaine
Capito	Durbin	King
Cardin	Gillibrand	Klobuchar
Carper	Graham	Luján

Manchin Peters Smith Stabenow Markey Reed McConnell Romney Tester Van Hollen Menendez Rosen Rounds Warner Merkley Murkowski Warnock Sanders Murphy Schatz Warren Schumer Murray Welch Ossoff Shaheen Whitehouse Padilla. Sinema Wyden

#### NAYS-39

Blackburn	Hagerty	Ricketts
Boozman	Hawley	Risch
Braun	Hoeven	Rubio
Britt	Hyde-Smith	Schmitt
Budd	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Paul	Young

## NOT VOTING-4

Barrasso Fetterman Feinstein Kelly

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 57, the nays are 39.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Andrew G. Schopler, of California, to be United States District Judge for the Southern District of California.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:16 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

# 

NOMINATION OF ANDREW G. SCHOPLER

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Andrew Schopler, who has been nominated to the U.S. District Court for the Southern District of California.

Since 2016, Judge Schopler has served as a magistrate judge for the Southern District of California. To date, he has presided over five misdemeanor trials. Prior to his Federal judicial appointment, he served as a judge pro tem for 5 years on the San Diego Superior Court's Small Claims Court, where he presided over dozens of civil bench trials. Before joining the bench, Judge Schopler served the Southern District of California as an Assistant U.S. Attorney for 12 years, spending 4 years in the general crimes section, four in the criminal enterprise/narcotics enforcement section, and four in the major frauds and special prosecutions section, where he served as deputy chief. Judge Schopler began his legal career in North Carolina as an assistant public defender at the Orange and Chatham

County Public Defender's Office and in private practice. He tried approximately 55 cases to verdict or judgment and was sole counsel in 39. Since 2014, Judge Schopler has also served this country as a major in the U.S. Army, California Army National Guard. In 2018, he deployed to Afghanistan for 8 months.

Born in Chapel Hill, NC, Judge Schopler earned his J.D. cum laude from Harvard Law School in 1997 and his B.A. summa cum laude from Dartmouth College in 1994. Senators Feinstein and Padilla strongly support Judge Schopler's nomination. The American Bar Association has also unanimously rated him "well qualified" to serve on the Southern District of California.

I urge all of my colleagues to join me in supporting this highly qualified nominee.

## VOTE ON SCHOPLER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Schopler nomination?

Mr. PETERS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. Feinstein), the Senator from Pennsylvania (Mr. Fetterman), the Senator from Arizona (Mr. Kelly), and the Senator from Vermont (Mr. Sanders) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The result was announced—yeas 56, nays 39, as follows:

# [Rollcall Vote No. 43 Ex.]

#### YEAS-56

	11110 00	
Baldwin	Hassan	Reed
Bennet	Heinrich	Romney
Blumenthal	Hickenlooper	Rosen
Booker	Hirono	Rounds
Brown	Kaine	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Luján	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Van Hollen
Cornyn	Merkley	Warner
Cortez Masto	Murkowski	
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Gillibrand	Ossoff	Welch
Graham	Padilla	Whitehouse
Grassley	Peters	Wyden

#### NAYS-3

	NAYS-39	
Blackburn	Hagerty	Ricketts
Boozman	Hawley	Risch
Braun	Hoeven	Rubio
Britt	Hyde-Smith	Schmitt
Budd	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Paul	Young